

## **REMARKS**

Claims 41-44 are pending in the application. Claims 41 and 44 have been amended to clarify that the external source is external of the computer system. Support for this amendment can be found, e.g., on page 14, lines 7-11 and in Figure 2. Applicants respectfully request reconsideration and allowance of claims 41-44.

### **Claim Amendments**

In an Advisory Action dated September 29, 2005, the Examiner asserted that it was not clear that an external source, as recited in claims 41 and 44, was external to the computer system. Applicants respectfully disagree with this assertion. However, in order to expedite prosecution, Applicants have amended claims 41 and 44 to recites a source external to the computer system.

### **Claim Rejections**

Claims 41-44 have been rejected under 35 U.S.C. 103(a) as being unpatentable over *Feamster et al.* (U.S. Patent No. 5,235,586, hereinafter "*Feamster*"), in view of *Ikeda* (JP 361286927, hereinafter "*Ikeda*"). Applicants respectfully submit that the rejection is traversed.

Claim 41 recites, in part, a computer system including a disc including a data storage area for storing control data for controlling a computer. The disc further includes an electronic circuit for processing data. The electronic circuit includes a communication control circuit. Data is read from the data storage area in response to a communication between the disc and the computer. If the data read from the data storage area does not include control data for the computer, then control data is obtained from an external source via the communication control circuit of the disc.

In contrast, *Feamster* discloses a computer system utilizing a compact intelligence disc including a storage medium on one side and active circuitry on the other side. *See, e.g.,* the Abstract. The disc includes most of the high-speed components of the computer system. *See e.g., id.* *Feamster* does not disclose or suggest obtaining control data from a source external to the computer system if control data is not found in the data storage area. In fact, *Feamster* fails to disclose or suggest obtaining control data from an external source. Rather, the disc of *Feamster* is essentially the heart of the disclosed computing system including both the means for

storing data and hardware for processing the data stored thereon. *See, e.g.*, column 3, line 67 to column 4, line 2. *Feamster*, therefore, is directed towards a self-contained system, which teaches away from obtaining data from an external source.

*Ikeda* does not overcome the shortcomings of *Feamster*. *Ikeda* discloses a computing system configured to boot from a compact disc. The computing system includes a compact disc device and a read only memory ("ROM"). *See, e.g.*, the English abstract and Figure 1 of *Ikeda*. The compact disc device reads a compact disc storing a program and the data necessary for processing the program. *See, e.g.*, the English abstract and Figure 2. *Ikeda* does not disclose or suggest obtaining control data from a source external to the computer system. Applicants respectfully point out that ROM 2 shown in Figure 1 of *Ikeda* is part of the computer system and not external to the computer system. In fact, the ROM disclosed in *Ikeda* includes a minimal program for running the compact disc device. *See, e.g.*, the English abstract. The remaining program and data for running the computer system are contained on the compact disc. *See, e.g.*, *id.* The ROM disclosed in *Ikeda* can be considered analogous to ROM 13 shown in Figure 2 of the present application.

For at least these reasons, therefore, *Feamster* would not lead a person having skill in the art to the invention of claim 41, even in view of *Ikeda*. Claims 42 and 43 depend on claim 41 and are allowable for at least the same reasons. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

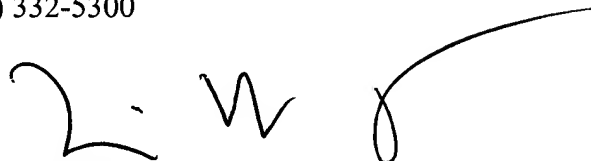
Claim 44 recites, in part, a method including reading data from a data storage area of a disc in response to a communication between the disc and a computer. The disc includes a communication control circuit. The method further includes obtaining control data from an external source via the communication control circuit of the disc when the data read from the data storage area does not include control data. Therefore, the combination of *Feamster* and *Ikeda* would not lead a person having skill in the art to the invention of claim 44 for at least the same reasons as discussed above with respect to claim 41. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution

of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'B. Batzli', with a long, sweeping horizontal line extending to the right.

Date: December 14, 2005

Brian H. Batzli  
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BHB/JKS/jt